

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JUNE 7, 1989
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Olson, Reid, Pinkerton and Snider (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Assistant City Engineer Prima, Acting City Attorney Newton, and City Clerk Reimche

INVOCATION The invocation was given by Father John Dias, Saint Anne Catholic Church.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Snider.

PRESENTATIONS

PROCLAMATIONS Mayor Snider presented the following proclamations:

CC-37 a) "Micke Grove Zoo Day"

b) "California Employment Development Department's Job Service Program"

RESOLUTION OF APPRECIATION Mayor Snider presented a Resolution of Appreciation to Chester M. Locke, retiring member of the San Joaquin County Board of Education.

CC-9

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Olson second, approved the following items hereinafter set forth.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$3,466,103.72.

MINUTES The Minutes of May 3, 1989 were approved as written.

AWARD - CONTRACT FOR WATER TANK AND WELL #4 FENCING, 122 NORTH MAIN STREET

RES. NO. 89-60 The City Council adopted Resolution No. 89-60 awarding the contract for the Water Tank and Well #4 Fencing, 122 North Main Street to Dura Fence of Sacramento, in the amount of \$6,598.00.

CC-12(a)
CC-12(c)
CC-300

The City Council was apprised that this project consists of furnishing and installing approximately 360 linear feet of 6' high chain link fence and 7 gates. This fencing will enclose the quarter-block section bounded by Main Street, Locust Street, and the alley south. This area was formerly used by the Parks and Recreation Department as a storage area and was left without fencing due to the construction of the new water tower and modification of Well #4.

The plans and specifications for this project were approved on May 3, 1989. The City has received the following 10 bids for this project.

Continued June 7, 1989

<u>BIDDER</u>	<u>LOCATION</u>	<u>BID</u>
Engineer's Estimate		\$ 9,546.00
Dura Fence	Sacramento	\$ 6,598.00
Dynamite Fence	Sacramento	\$ 7,072.32
Vince Welsh Fence Company	Anderson	\$ 7,170.00
Weaver's Woven Wire	Carmichael	\$ 7,365.00
Stockton Fence and Material Company	Stockton	\$ 7,622.20
C & R Fence Contractors, Inc.	Stockton	\$ 7,974.00
Rio Linda Fence Company	Rio Linda	\$ 8,467.48
Economy Fence Company	Stockton	\$ 8,717.18*
Pisor Fence Division, Inc.	Citrus Heights	\$ 9,236.00
Central Fence Company	San Leandro	\$11,172.00

*Corrected Figure

LANDSCAPE MAINTENANCE
CONTRACT RENEWAL
APPROVED

CC-6
CC-90

The City Council was apprised that Ireland Landscape Company, Inc. has maintained landscaped areas within the City since July 1, 1982, and has provided satisfactory service. The number of areas maintained increased from 28 in 1982 to 40 in 1989. An additional area (Beckman Storm Drain Pumping Station) will be added in June 1989, for an accumulative total of 41 acres. Ireland Landscape Company has agreed to maintain the 41 acres at no increase in rate for an additional 12 months, July 1, 1989 through June 30, 1990.

Funds to finance the contract were included by various departments in the 1989-90 operating budget.

The City Council approved renewal of the Landscape Maintenance Contract and authorized the City Manager and City Clerk to execute the renewal of the contract for the 1989-90 fiscal year to Ireland Landscape Company, Inc.

SPECIFICATIONS FOR
ASPHALT MATERIALS
FOR FIRST AND SECOND
QUARTERS OF FISCAL
YEAR 1989-90
APPROVED

CC-12.1(c)

The City Council was apprised that the City advertises for asphalt materials on a semi-annual basis. This bid will cover asphalt materials needed during the first and second quarters of fiscal year July 1, 1989 through December 31, 1989.

The following is a recap of the quantities:

<u>ASPHALT MATERIALS</u>	<u>QUANTITIES</u>
3/8" Asphalt Concrete	2,400 Tons
1/2" Asphalt Concrete	250 Tons

The City Council approved the specifications for asphalt materials and authorized advertising for bids thereon.

SPECIFICATIONS FOR
ASPHALT REJUVENATING
AGENT APPROVED

CC-12.1(c)

The City Council was apprised that the City advertises for Asphalt Rejuvenating Agent as needed. The product is used in sealing of streets that are newly constructed or have been paved in the last year.

QUANTITY

5,000 Gallons Asphalt Rejuvenating Agent

The City Council approved the specifications for Asphalt Rejuvenating Agent and authorized advertising for bids to be received June 21, 1989.

SPECIFICATIONS FOR
ROCK AND SAND
MATERIAL FOR FISCAL
YEAR 1989-90
APPROVED

CC-12.1(c)

The City Council was apprised that the City advertises for rock and sand material on an annual basis. This bid will cover rock and sand material needed during the fiscal year July 1, 1989 through June 30, 1990.

The quantities needed are shown below:

<u>ROCK AND SAND MATERIAL</u>	<u>QUANTITIES</u>
Item No. 1	200 Tons 3/4" Class II Aggregate
Item No. 2	250 Tons Concrete Sand
Item No. 3	300 Tons 1/4" x #10 Crushed Rock

The City Council approved the specifications for rock and sand material and authorized advertising for bids thereon.

VACATIONS OF PORTIONS
OF PUBLIC UTILITY
EASEMENTS IN CENTURY
PLACE, LOTS 20, 21,
AND 26, NORTHWEST
CORNER OF CHEROKEE
LANE AND CENTURY
BOULEVARD APPROVED

RES. NO. 89-61

CC-52(b)
CC-300

The City Council adopted Resolution No. 89-61 vacating portions of the public utility easements in Century Place, Lots 20, 21, and 26.

The City Council was advised that these public utility easement abandonments have been requested by the owner of Century Place to allow for more buildable space on the lots.

The owner of Century Place has paid the required fees to process this abandonment. Pacific Bell, PG&E, King Videocable Company, and City utilities have been notified of this proposed abandonment and their approval has been secured.

Under Section 8333 of the Streets and Highways Code, a local agency may summarily vacate a public service easement if "the easement has been superseded by relocation and there are no other public facilities located within the easement." Since all public facilities can service this subdivision without the need for these easements, the Public Works Department recommended that the request to vacate these easements be granted without Planning Commission referral or the normal posting, publishing, and public hearing.

Continued June 7, 1989

REVISED CLASS
SPECIFICATIONS FOR
ENGINEERING TECHNICIAN
SUPERVISOR APPROVED

RES. NO. 89-62 The City Council adopted Resolution No. 89-62 approving the revised Class Specifications for Engineering Technician Supervisor.

CC-34
CC-300

The City Council was apprised that after the recent completion of the job analysis, the classifications specification has been revised to more accurately reflect the experience and education level, duties, knowledges, and skills necessary for this classification.

SALARY ADJUSTMENTS
FOR TREATMENT PLANT
OPERATOR CLASSIFICATIONS
PER MEMORANDUM OF
UNDERSTANDING APPROVED

RES. NO. 89-63 The City Council adopted Resolution No. 89-63 approving a 2.5% salary increase for the following positions retroactive to January 9, 1989 which salaries are set forth below:

CC-34
CC-300

- . Wastewater Plant Operator I
- . Wastewater Plant Operator II
- . Wastewater Plant Operator III (R)
- . Chief Plant Operator

SALARY SCHEDULE FOR SELECTED CLASSIFICATIONS

Classification	Step: A	M O N T H L Y S A L A R I E S				E
		B	C	D		
Wastewater Plant Operator I	\$1,693.21	\$1,777.87	\$1,866.77	\$1,960.12		\$2,058.10
Wastewater Plant Operator II	\$1,866.79	\$1,960.14	\$2,058.15	\$2,161.06		\$2,269.10
Wastewater Plant Operator (Relief)	\$1,960.16	\$2,058.17	\$2,161.08	\$2,269.12		\$2,382.59
Chief Wastewater Plant Operator	\$2,272.43	\$2,387.13	\$2,506.49	\$2,631.81		\$2,763.40

The City Council was advised that the Memorandum of Understanding with the Maintenance and Operators units called for a 5% salary increase for Wastewater Plant Operator effective January 9, 1989. In January the salary was increased by 2.5% per agreement with IBEW Local 1245 in order to work out language relative to schedules.

The City Council was further advised that the City now has come to agreement on schedules and it is now appropriate to grant that negotiated increase.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda.

MAYOR DIRECTS CITY
MANAGER TO LOOK AT
POSSIBILITY OF BOTH
THE FINANCE AND
COMMUNITY DEVELOPMENT/
PUBLIC WORKS DEPARTMENT
COUNTERS BEING OPEN
FROM 8:00 A.M. TO 5:00
P.M. MONDAY THROUGH
FRIDAY, EXCEPT
HOLIDAYS

CC-6

Mayor Snider asked the City Manager to explore the possibility of both the Finance and the Community Development/Public Works counters being open from 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

UPDATE GIVEN REGARDING
REQUEST FOR A HANG
GLIDING PROGRAM AT
SALAS PARK

CC-6
CC-40

Mr. B. K. Haneke gave an update on the recent meeting of the Lodi Parks and Recreation Commission regarding a hang gliding program at Salas Park. The Commission determined that other cities should be contacted regarding programs of this type.

PUBLIC HEARINGS

There were no public hearings scheduled for this meeting.

PLANNING COMMISSION
REPORT

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of May 22, 1989:

CC-35

The Planning Commission -

ITEMS OF INTEREST

1. Revoked the Use Permit of Concrete Inc. to install a portable batch plant and office trailer at 1360 East Turner Road in an area zoned M-2, Heavy Industrial, as of Friday, June 30, 1989 if all of the conditions originally established have not been met.
2. Determined that a "Zoning Hardship" existed and approved the request of Mohammed Ajmal Qadir for a Zoning Variance to allow a garage converted to a bedroom approximately 15 years ago to remain at 1424 South Sacramento Street in an area zoned R-2, Single-Family Residential.
3. Set a Public Hearing for Monday, June 26, 1989 to consider recommending that certain commercial vehicles not be permitted to park in residential areas.
4. Requested that the City Attorney make revisions to the proposed Ordinance regarding site obstructions.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and the City's Contract Administrator, ADJUSTCO, the City Council, on motion of Mayor Pro Tempore Hinchman, Olson second, rejected the following claims and referred them back to ADJUSTCO:

Continued June 7, 1989

- a) Lee Charles King - Date of loss 10/17/88
- b) Alex C. Haddad, Jr. - Date of loss 1/1/89
- c) Eleanor V. Sherfield - Date of loss 12/14/88

ABC LICENSE
APPLICATIONS

City Clerk Reimche presented the following Alcoholic Beverage License Applications which had been received:

CC-7(b)

- a) Georgia Perlegos, Save Mart Foods, 1340 South Hutchins Street, Lodi, Off Sale General License, Person to Person Transfer
- b) Alice C./David M. Yamada, Happy Wok, 410 West Kettleman Lane, Off Sale Beer and Wine Eating Place License, Person to Person Transfer

PUC APPLICATIONS

City Clerk Reimche presented information pertaining to the following California Public Utilities Commission Applications:

CC-7(f)

- a) Pacific Gas and Electric Company, Application No. 89-04-001, filed April 3, 1989, requesting authority to increase its electric rates.
- b) Pacific Gas and Electric Company, Application No. 89-05-019, filed May 8, 1989, requesting authority to increase its electric and gas rates.

PETITIONS RECEIVED
FROM MR. RAY
DAVENPORT

Following receipt of petitions from Mr. Ray Davenport requesting the City Council to hold the appointment of Battalion Chief or Fire Shift Supervisor in abeyance for a reasonable time and to grant petitioner an arbitration proceeding, the City Council on motion of Council Member Reid, Hinchman second, voted to take no action on the matter.

CC-4(c)
CC-6
CC-16
CC-30
CC-34

REGULAR CALENDAR

ORDINANCE INTRODUCED
PROHIBITING SMOKING
IN CITY-OWNED
FACILITIES

ORD. NO. 1457

Pursuant to the direction of the City Council at its meeting of May 17, 1989, the "No Smoking" ordinance was modified by the City Attorney to apply to all City-owned buildings and facilities except outdoor facilities utilized primarily for athletics or entertainment. All indoor facilities and enclosed spaces would be included unless the location has been designated by the City Manager and appropriate signs posted, indicating that smoking is allowed.

CC-24(b)
CC-149

It would include all buildings at Hutchins Street Square, restrooms in parks and stadiums, and other similar enclosed spaces in City facilities.

Following discussion, the City Council on motion of Mayor Pro Tempore Hinchman, Olson second, introduced Ordinance No. 1457 - An Ordinance of the Lodi City Council Prohibiting Smoking in City-owned Facilities by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid, and Snider (Mayor)
 Noes: Council Members - Pinkerton
 Absent: Council Members - None

AWARD - CONTRACT
 FOR CARNEGIE FORUM
 LANDSCAPE AND
 SPRINKLER PROJECT,
 305 WEST PINE STREET

RES. NO. 89-64 The City Council was advised that the contract for Carnegie Forum Landscape and Sprinkler Project, 305 West Pine Street, consists of providing new landscaping and a sprinkler system around the new Carnegie Forum.
 CC-12(a)
 CC-300

Plans and specifications for this project were approved on May 3, 1989.

The City received the following two bids for this project:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Engineer's Estimate		\$17,500.00
Cioli & Sons		
Construction	Elk Grove	\$18,026.00
Expert Building		
Maintenance	Stockton	\$20,100.00

The budgeted amount is insufficient to do the project. The total project costs are:

Contract	\$18,026.00
Design Fees	2,400.00
Inspection & Contingencies	3,574.00
	<u>24,000.00</u>
Amount Budgeted	<u>-15,000.00</u>
Additional Appropriation Needed	\$ 9,000.00

On motion of Council Member Reid, Olson second, the City Council adopted Resolution No. 89-64 awarding the contract for the above project to Cioli & Sons Construction in the amount of \$18,026.00 and appropriated an additional \$9,000 from the Contingency Fund to complete the project.

CITY COUNCIL OPPOSES
 SENATE BILL 1127
 PROVIDING FOR LOCAL
 AUTHORITY TO PERMIT
 COMPULSORY AND BINDING
 ARBITRATION FOR PUBLIC
 SAFETY EMPLOYEES AND
 ASKING THE STATE SENATE
 FOR A NO VOTE ON
 SENATE BILL 1127

RES. NO. 89-65 The City Council was advised that the Senate Appropriations Committee has reported to the Senate Floor SB 1127 which permits cities to establish a system of compulsory and binding arbitration for police and firefighters. It was recommended that the City Council oppose this bill for the following reasons:

CC-28
 CC-300

- 1) Compulsory and binding arbitration destroys good faith bargaining.

The parties at the table are not concerned with reaching an agreement but to posture to be in the best possible position for the arbitration process.

- 2) Police and fire unions state that compulsory and binding arbitration prohibits strikes.

Strikes affecting public safety is now against the California law.

Police and fire employees are well paid with the best possible set of fringe benefits.

- 3) Local option provision does not minimize bad policy.

The fact that an ordinance makes something permissible does not make it an acceptable labor relations procedure. It is bad public policy for a legislative body to abdicate its responsibility to its employees and citizens to a non-elected non-local person.

- 4) Unfair To Other Employees.

Compulsory and binding arbitration gives police and fire employees first priority over other employees and services in the local budget process. Remember, Council has no recourse to an arbitrator's award. They have turned the budget over to an outsider.

Following discussion, the City Council on motion of Mayor Pro Tempore Hinchman, Reid second, adopted Resolution No. 89-65 opposing SB 1127 which supports compulsory and binding arbitration for police-fire employees.

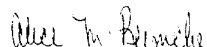
ORDINANCES

No ordinances were presented to the City Council for adoption.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 8:20 p.m.

ATTEST:


Alice M. Reimche
City Clerk